

**HIGHLIGHTS OF THE REGULAR MEETING OF THE
CLAYTON TOWN COUNCIL
MONDAY, AUGUST 4, 2014, 6:30 PM
THE CLAYTON CENTER, COUNCIL CHAMBERS**

PRESENT: Mayor Jody L. McLeod, Mayor Pro Tem Michael Grannis, Councilman Bob Satterfield, Councilman R. S. “Butch” Lawter, Councilman Art Holder and Councilman Jason Thompson

CONSENT AGENDA: Town Council voted unanimously to approve the following items on the Consent Agenda (these items have been previously discussed at the work session meeting of the Town Council):

- Minutes from the July 21, 2014 work session
- Special event request for Santa Baby: An Old Town Winter Festival slated for Saturday, December 6, 2014 to be put on by Reciprocity Events. This event would include a 1 mile road race (starts at 9am) and 5k road race (starts at 10 am) following the same course as the annual Clayton Road Race. Events, music, food, crafts and vendors would also stage from 9 am to 3 pm at Town Square, the start and finish line for this race. Some funds from the race will go to benefit the Johnston County Partnership for Children non-profit. Numerous downtown streets will be closed from 8:30 am to 11:30 am for the runners.
- Retirement proclamation for Bob Clifford, Town of Clayton Fleet Maintenance Supervisor who joined the Town in 1993 helping to oversee and direct the readiness and reliability of the Town’s fleet of vehicles.
- Warranty and dedication acceptances:
 - One year warranty acceptance for asphalt at Cobblestone Subdivision, Phase 11-A (7 lots)
 - One year warranty acceptance for asphalt at Cobblestone Subdivision, Phase 11-B
 - Final acceptance for Cassedale Subdivision asphalt pavement
 - Final acceptance for public water, sewer, and associated storm drainage utilities for Cobblestone Subdivision, Phase 7D - 71

INTRODUCTIONS AND SPECIAL PRESENTATIONS:

- Michelle Wells, Executive Director of the North Carolina Recreation and Park Association (NCRPA) presented an overview of the Blue Cross Blue Shield garden grant recently received by the Town of Clayton Parks and Recreation Department. The NCRPA partnered with North Carolina Blue Cross and Blue Shield of North Carolina (BCBSNC) Foundation, which is an independent licensee of the Blue Cross and Blue Shield Association (BCBSA). Together they are providing almost \$70,000 in **Healthy Eating Equipment Grants** to help increase access to healthy, local foods to 16 different Parks & Recreation Departments across NC. They granted a \$4500 grant to build a greenhouse near the existing community garden next to the Clayton Community Center on Amelia Church Road. Garden class participants and

volunteers, lead by NC State Extension Services and Master Gardeners, will plant, care for and harvest the garden. The food will be donated to Clayton Area Ministries, a non-profit that serves as a food bank and will distribute to needy families. The addition of a greenhouse to our current garden will make it a teaching classroom, possible to grow produce in the winter months, create climate and moisture controlled crops, provide more diverse varieties and seedlings and create the opportunity to grow out of season vegetables.

PUBLIC HEARINGS:

- A public hearing was held for the initial zoning for property recently annexed into the Town of Clayton. 12 parcels were annexed along Glen Laurel Road near Vinson Road, 10 within the Town's Extraterritorial jurisdiction (ETJ) and 2 within Johnston County. The Town Council unanimously approved the request to apply Town zoning to the two parcels that are outside of the Town's ETJ. The current zoning is AR (Johnston County) and the request was to apply Town of Clayton zoning R-E (Residential-Estate). No one spoke at the public hearing. Previously a developer has stated to the Town Council of the intention to build homes on this property. **Town Council voted unanimously to approve this rezoning.**

OLD BUSINESS:

- **Facade grant program** - Downtown Development Coordinator Bruce Naegelen requested Town Council extend their approval on an increase from 50 to 75% Town investment in the downtown façade grant program. Naegelen emphasized the positive business interest that was generated by this increase in the FY 2013-2014 year that resulted in 5 different businesses improving their appearance. Noting that 5 more businesses were lined up for similar improvements, he asked Town Council to consider continuing that 75% contribution. \$15,000 is currently budgeted for FY 2014-2015 with a \$5,000 max for each individual project. Some criteria to establish priority for projects are being established. **Town Council voted unanimously to approve the increase to the Downtown Façade Grant program.**
- **Update on the Brownfields agreement for the DuPont property** - The Town Manager told Town Council that their packet includes a pre-final draft of the Brownfields agreement that spells out the clean-up and remediation requirements for the former DuPont chemical property that would be purchased for a future park on Covered Bridge Road. He estimated that in the next week or so that document could be finalized and that would begin the 30-day public comment period on the project. It's after that public comment period that the council could potentially close on that \$600,000 property. Those 39 acres are just adjacent to the recently purchased 81-acre Massey property and together these property will be developed as a 120-acre town park that would likely be funded by a future recreation bond.

- **Recreation Grant Opportunities** - Parks & Recreation Director Larry Bailey briefed the Town Council on \$18,713 in available funds for projects in the Clayton High School District through the newly restored Johnston County Open Space Fund Grants. The Town would be able to meet the 5% matching requirement on any project. Bailey suggested applying for a grant to expand the Sam's Branch Trailhead/parking lot. He had also been asked to get estimates on the construction of new pickleball courts to possibly submit for the grant as well. His research showed it would be \$58,000 for two courts at East Clayton Community Park and \$70,000 for 4. Since the \$18,000 would not go far covering those costs and not additional money is available in the current budget, Bailey instead recommended spending \$900 in the interim to shadow-line 3 existing courts at Clayton Community Park until more significant funds could be identified for new pickleball courts. Bailey presented a second opportunity, noting that \$95,000 in open space funds are also available for projects in the Corinth Holders High School district, in which the Town limits extend into, and he suggested applying for \$60,000 to fund the acquisition of the Dupont Property for future park land. \$60,000 would be 10% of the pending \$600,000 park land cost. **Town Council voted unanimously to approve the submission of grant applications for Sam's Branch trailhead expansion at \$18,713 and for the new park land purchase at \$60,000. They also asked that Parks & Recreation go ahead and spend the \$900 to shadow-line courts for the increasingly popular pickleball games.**
- **Bid Results- Red & White Building Demolition** - Town Manager Steve Biggs and the Town Attorney updated the Town Council on the pending demolition of the old Red & White Grocery store on the corner of O'Neil Street and Front Street. The owner has filed an appeal in Johnston County court, however, the Town proceeded with requesting bids for demolition. The Town received 8 bids ranging from \$128,997 to \$34,950, the lowest bid made by Greenway Waste Solutions out of Raleigh.
 - Total Construction, Clayton, NC - \$128,997.86
 - Cook Contractors, Whiteville, NC - \$107,450.00
 - Cecil Holcomb Renovations, Raleigh, NC - \$38,672.00
 - **Greenway Waste Solutions, Raleigh, NC - \$34,950.00**
 - TAP Construction, Four Oaks, NC - \$49,999.00
 - Country Construction, Benson, NC - \$43,000.00
 - EHG, LLC, Morrisville, NC - \$42,295.00
 - 4 Season's Site & Demo Inc., Wilmington, NC - \$44,350.00

Council decided to go into close session at the end of the meeting to discuss approving the bid contract. See below.

- **Contract Approval- Little Creek Church Road Property:** The Town Manager updated Town Council on the sale agreement for the purchase of new park land on 67 acres along Little Creek Church Road for the price of \$1,208,446. The agreement

between the Town and “The Conservation Fund”, a non-profit out of Maryland, could be closed no later than August 31st. **Town Council voted unanimously to move ahead with the purchase of this future park land.**

- **Urban Archery-** Preliminary Draft Ordinance for discussion – A draft of an ordinance that would allow bow-hunting for deer in the Town of Clayton town limit was presented to Town Council. The ordinance would make it lawful to hunt deer with a bow and arrow or crossbow (collectively called “archery”) on private property during the Eastern North Carolina deer archery season established by the state wildlife resources commission – currently Sept. 13th-Oct.3rd for 2014 and Jan. 10th – Feb. 14th for 2015. The Town continues to prohibit the uses of guns, firearms, or poison to shoot/kill any wild game, including deer or squirrels. Bow hunting for deer would be allowed, but hunters will have to follow all federal, state, and local law regulating hunting and will have to have a valid NC hunting license AND a Town of Clayton Hunting Permit. To obtain the Town permit, the hunter must have a photo ID, a copy of their current state hunting license, the property information where the hunter intends to hunt, the written permission of the property owners (if the hunter isn’t hunting on his/her own property), and a town permit fee (yet to be set). The hunter must fire arrows from at least 3 yards (10 feet) above ground toward the interior of the property, may NOT fire from under 50 yards (150 feet) of any home or road right-away, unless it’s the hunter’s own home, and may NOT fire from under 100 yards (300 feet) of any daycare, school, church or park. Previously an enforcement officer with the NC Wildlife Resources Commission stated to Town Council that ion his 20+ years experience with urban archers, he has found them to be very safety conscious and injuries sustained in urban archery programs throughout the 44 NC towns that allow bow hunting seasons are extremely rare. **Town Council suggested that this item move on for further discussion with staff and with the Town seeking public involvement in the process.**

NO NEW BUSINESS

STAFF REPORTS:

- Town Manager Steve Biggs reported that several elected officials had suggested the 25mph speed limit on the new East Front Street extension is too low. **Town Council voted unanimously to investigate with staff whether an increase in the speed limit to 35 mph in this new section would be appropriate.** The Town Manager went on to inform the Town Council he would not be in the office the rest of the week, but available by cell phone.

TOWN COUNCIL/PUBLIC COMMENT:

- Sabra (Bonnie) Light, owner of Eye of the Eagle Art Center at 131 East First Street commented to the Town Council that she is concerned about loitering, alcohol and drug

use and safety issues surrounding the area near her business and the blocks nearby. She inquired about whether the town enforced loitering laws, could increase police patrols in the area, or could establish a police satellite office in this location. Staff informed the resident that the town does not have a loitering ordinance, but that private property owners or the Town can enforce trespass laws. Light pleaded for the Town to consider doing more to enforce laws to prevent drinking in public, drug deals and sale of alcohol to minors as she works to establish a Walk Downtown program and encourage visitors to come to downtown on Thursday and Saturday evenings.

CLOSED SESSION:

- Town Council voted unanimously to go into closed session at 7:23 PM, in accordance with North Carolina General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.
- Town Council returned from closed session at 8:11 PM.
- **Mayor Pro Tem Michael Grannis made a motion to award a bid on the Red & White grocery demolition to the lowest qualified bidder. Town Council voted unanimously to approve.**

Town Council voted unanimously to adjourn at 8:12 PM.